

JEFFREY N. LABOVITCH (SBN: 10915)
jlabovitch@nicolaidesllp.com
DAWN A. HOVE (*admitted pro hac vice*)
dhove@nicolaidesllp.com
NICOLAIDES FINK THORPE
MICHAELIDES SULLIVAN LLP
4250 Executive Square, Suite 540
La Jolla, CA 92037-1482
Telephone: (858) 257-0700
Facsimile: (858) 257-0701

MARTIN L. SHIVES (SBN: 7910)
martinshives@summers-shives.com
SHIVES & ASSOCIATES LIMITED
7473 West Mead Blvd., Suite 100
Las Vegas, NV 89128
Telephone: (702) 562-8188
Facsimile: (702) 947-4696

THOMAS FRIEDMAN (SBN: 7708)
tfriedman@brownbonn.com
BROWN, BONN & FRIEDMAN, LLP
5528 South Fort Apache Road
Las Vegas, Nevada 89148
Telephone: (702) 942-3900
Facsimile: (702) 942-3901

Attorneys for Defendant,
Counterclaimant and Third-Party Plaintiff
NATIONAL FIRE & MARINE INSURANCE COMPANY

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

PN II, INC. dba PULTE HOMES and/or
DEL WEBB, a Nevada corporation,

Plaintiff,

v.

NATIONAL FIRE & MARINE INSURANCE
COMPANY; and DOES 1 through 100,
inclusive,

Defendants.

Case No. 2:20-cv-01383-ART-BNW

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND EXPERT
DISCLOSURE DATE**

(First Request)

Complaint filed: July 24, 2020
Trial Date: Not set

1 NATIONAL FIRE & MARINE INSURANCE
2 COMPANY, a Nebraska insurance
company,

3 Counter-Claimant,
4 v.

5 PN II, INC. dba PULTE HOMES and/or
6 DEL WEBB, a Nevada corporation,

Counter-Defendant.

7
8 NATIONAL FIRE & MARINE INSURANCE
9 COMPANY, a Nebraska insurance
company,

10 Third-Party Plaintiff,

11 v.

12 PN II, dba PULTE HOMES and/or DEL
13 WEBB, a Nevada corporation;
14 CONTRACTORS INSURANCE
COMPANY OF NORTH AMERICA, INC.,
a Hawaii corporation,

15 Third-Party Defendants.
16

17 **TO THE HONORABLE COURT, AND TO ALL PARTIES AND THEIR ATTORNEYS**
18 **OF RECORD:**

19 Defendant/Counter-Claimant/Third-Party Plaintiff National Fire & Marine
20 Insurance Company ("National Fire"), Plaintiffs/Counter-Defendants PN II, Inc. dba Pulte
21 Homes and Del Webb (Collectively "Pulte"), and Third-Party Defendant Contractors
22 Insurance Company of North America ("CICNA"), by and through their respective
23 counsel of record, hereby STIPULATE and agree, subject to this Court's approval, to
24 extend and continue the expert reporting date from December 9, 2022 to December 16,
25 2022. This is the first request for an extension specific to extend the initial expert
26 disclosure date.

27 The parties continue to pursue discovery diligently and require additional time for
28 the initial expert disclosure. The parties agreed to continue the current expert reporting

date by seven (7) days to December 16, 2022, so that it follows the December 13, 2022 hearing regarding National Fire's pending motion to continue all discovery deadlines (ECF No. 59) and pending motions for protective order regarding the depositions of Martin Shives (ECF No. 57) and Scott Thomas (ECF No. 67). If the Court grants the motion to continue discovery or the motions for protective order, the parties will set new expert disclosure dates; if not, the parties will move forward with the initial expert disclosure date of December 16, 2022 granted by this stipulation.

In accordance with LR IA 6-1, there have been no prior extensions solely to extend the initial expert disclosure dates. There have been five prior stipulations for the extension of time regarding discovery deadlines. (ECF No. 52)

IT IS SO STIPULATED.

Dated: November 22, 2022

NICOLAIDES FINK THORPE
MICHAELIDES SULLIVAN LLP

By: /s/ Jeffrey N. Labovitch
Jeffrey N. Labovitch
Dawn A. Hove
Attorneys for Defendant, Counterclaimant
and Third-Party Plaintiff National
Fire & Marine Insurance Company

Dated: November 22, 2022

SHIVES & ASSOCIATES LIMITED

By: /s/ Martin L. Shives
Martin L. Shives
Attorneys for Defendant, Counterclaimant
and Third-Party Plaintiff National
Fire & Marine Insurance Company

Dated: November 22, 2022

BROWN, BONN & FRIEDMAN, LLP

By: /s/ Thomas Friedman
Thomas Friedman
Attorneys for Defendant, Counterclaimant
and Third-Party Plaintiff National
Fire & Marine Insurance Company

1 Dated: November 22, 2022

PAYNE & FEARS LLP

2
3 By: /s/ Sarah J. Odia
4 Scott S. Thomas
5 Sarah J. Odia
6 Attorneys for Plaintiff and Counter-
Defendant PN II, Inc. dba Pulte Homes
and/or Del Webb

7 Dated: November 22, 2022

MRV LAW, INC.

8
9 By: /s/ Mark R. VonderHaar
10 Mark R. VonderHaar
11 Attorneys for Third-Party Defendants
Contractors Insurance Company of North
America

12 Dated: November 22, 2022

LEE LANDRUM & INGLE, APC

13
14 By: /s/ Natasha Landrum
15 Natasha Landrum
16 Attorneys for Third-Party Defendants
Contractors Insurance Company of North
17 America

18
19
20 **ORDER**

21 IT IS SO ORDERED. All parties have until December 16, 2022, for initial expert
22 disclosures.

23 DATED: November 28, 2022


24 UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

Pursuant to N.R.C.P. 5(b), I hereby declare that on November 23, 2022, a true and correct copy of **STIPULATION AND [PROPOSED] ORDER TO EXTEND EXPERT DISCLOSURE DATE** was served via electronic service by the U.S. District Court CM/ECF system to all parties on the Electronic Mail Notice List.


Michelle Park